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2123
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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/053,731

Filing Date Jan 18, 2002

First Named Inventor Hardwick

Group Art Unit 2123

Examiner Name

Technology Center 2100

Total Number of Pages in This Submission

Attorney Docket Number MS1-1423US

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JUN 24 2004

ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s) Sheets
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Return Receipt Post Card; PTO Form 1449; (14) references

Remarks

22801

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Allan T. Sponseller, Reg. No. 38,318

Signature

ATS

Date

6/15/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 6/16/04

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Laurie S. Morgan

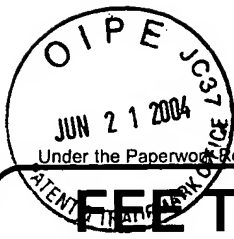
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Laurie Morgan

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6/16/04

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known

Application Number	10/053,731
Filing Date	Jan 18, 2002
First Named Inventor	Hardwick
Examiner Name	
Art Unit	2123
Attorney Docket No.	MS1-1423US

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Technology Center 2100

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

12-0769

Lee & Hayes, PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
Independent	Multiple Dependent	-20** =	-3** =		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Allan T. Sponseller

Registration No.
(Attorney/Agent)

38,318

(Complete if applicable)

Telephone (509) 324-9256

Signature

Date

6/1/04

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.10/053,731
Filing Date Jan 18, 2002
Confirmation No.....4229
Inventorship Hardwick
Applicant Microsoft Corporation
Group Art Unit2123
Examiner
Attorney's Docket No. MS1-1423US
Title: Evaluating Hardware Models Having Resource Contention

INFORMATION DISCLOSURE STATEMENT


References -- See Attached Form PTO-1449

REMARKS

The citations listed, copies attached, are submitted in compliance with the duty of disclosure defined in 37 CFR §1.56. The Examiner is requested to make these citations of official record in this application.

Respectfully Submitted,

Date: 6/15/04

By: 
Allan T. Sponseller
Reg. No. 38,318

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Please type a plus sign (+) inside this box → ☐

+

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number 10/053,731
Filing Date 01/18/2002
First Named Inventor Hardwick
Group Art Unit 2123
Examiner Name
Attorney Docket Number MS1-1423US

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ANDRADOTTIR; "A Review of Simulation Optimization Techniques"; Proceedings of the 1998 Winter Simulation Conference; pp. 151-158.	
		AZADIVAR; "Simulation Optimization Methodologies"; Proceedings of the 1999 Winter Simulation Conference; pp. 93-100.	
		BOESEL, et al.; "A Framework for Simulation-Optimization Software"; Technical Report; Department of Industrial Engineering and Management Sciences, Northwestern University; May 1999; 25 pages.	
		BOESEL, et al; "Future of Simulation Optimization"; Proceedings of the 2001 Winter Simulation Conference; pp. 1466-1469.	
		CHONG, et al; "A Framework for Simulation-based Network Control via Hindsight Optimization"; Conference on Decision and Control (CDC), 2000; 6 pages.	
		GEHLSSEN, et al.; "A Framework for Distributed Simulation Optimization"; Proceedings of the 2001 Winter Simulation conference; pp. 508-514.	
		HARDWICK, et al; "Modeling the Performance of E-Commerce Sites"; Journal of Computer Resource Management; Winter 2002 Edition; Issue 105; pp. 3-12.	
		HUMPHREY, et al; "A Revised Simplex Search Procedure for Stochastic Simulation Response-Surface Optimization"; Proceedings of the 1998 Winter Simulation Conference; pp. 751-759.	
		JOSHI, et al.; "Framework for the Optimization of Discrete-Event Simulation Models"; Proceedings of the 17th ASEM National Conference; October 10-12, 1996; 7 pages.	
		NEDDERMEIJER, et al; "A Framework for Response Surface Methodology for Simulation Optimization"; Proceedings of the 2000 Winter Simulation Conference; pp. 129-136.	
		SWISHER, et al.; "A survey of Simulation Optimization Techniques and Procedures"; Proceedings of the 2000 Winter Simulation Conference; pp. 119-128.	

Examiner
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Date
Considered

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Complete if Known

Application Number	10/053,731
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Filing Date	01/18/2002
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First Named Inventor	Hardwick
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Group Art Unit	2123
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Examiner Name

Attorney Docket Number	MS1-1423US
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(use as many sheets as necessary)

Sheet	2	of	2
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Examiner
Initials*Cite
No.¹

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

T2

THOMPSON; "Policy Driven, Multi-Objective Optimization of Simulated Stochastic Models"; http://www.ncsa.uiuc.edu/TechFocus/Projects/NCSA/PolicyDriven_Multi-Objective_Optimization_of_Simulated_Stochastic_Models.html; 3 pages; last updated 4/28/03.

LOOSLEY, et al; "E-Commerce Response Time: A Reference Model"; in Proceedings of the Computer Measurement Group's 2000 International Conference (CMG2000); Dec. 2000; pp. 1-16

SPELLMANN, et al; "eBusiness Performance: Risk Mitigation in Zero Time"; in Proceedings of the Computer Measurement Group's 2000 International Conference (CMG2000); Dec. 2000; pp. 1-11.

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